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10/790,328	03/01/2004	James T. Amburgey	2003-0688.01	8995

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LEXMARK INTERNATIONAL, INC.  
INTELLECTUAL PROPERTY LAW DEPARTMENT  
740 WEST NEW CIRCLE ROAD  
BLDG. 082-1  
LEXINGTON, KY 40550-0999

EXAMINER
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DISTEFANO, GREGORY A

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/790,328

Applicant(s)

AMBURGEY ET AL.

Examiner

Gregory A. DiStefano

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2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The Office Action is in response to the Application filed 3/1/2004.
2. Claims 1-17 have been submitted for examination.
3. The examiner recognizes an entry of applicant's submission of form 1449, information disclosure statement, on 8/28/2004. However the examiner is unable to locate the IDS within the Patent Office's records.

### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "25" has been used to designate icons of different use, i.e. login, finish, etc, as well as the backspace key per Fig. 4 and is unclear as to which specific part applicant refers to when referencing character "25". In addition, reference character "30" is used to designate both GUIs and keyboards. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because of the following informalities: page 5, line 32 should include the word "to" as in, "The functions that are not to be." Page 7, line 21 should include the word "be" as in, "several items need to be scanned."

Appropriate correction is required.

***Claim Objections***

6. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. For purposes of examination, this claim is interpreted to mean, "wherein each of said customized icon configuration files comprises the corresponding plurality of network users' personal preferences regarding the arrangement and type of icons to be displayed on a graphical user interface."

7. Claim 14 is objected to because of the following informalities: the claim recites the phrase, "a specific business operation" in both line 4 and line 7. It is unclear if the second phrase(line 7) is referring to the first(line 4) or if it is a completely new business operation. For purposes of examination, the examiner interprets the second mention of the phrase "a specific business operation" to mean, "said specific business operation" and refer to the first phrase. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The use of the phrase “typically requiring multiple operations” is not found to be limiting functional language. For purposes of examination, the examiner interprets that if an operation is “typically requiring multiple operations” it is always requiring multiple operations, and is read as such.

10. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The use of the phrase “typically requires” is not found to be limiting functional language. For purposes of examination, the examiner interprets that if an operation “typically requires” different configurations, said operation “requires” said configurations.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-7 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by

How to Use Microsoft® Windows XP®, Copyright © 2002 by Sams Publishing,

hereinafter Sams.

13. As per claim 1, Sams teaches the follow:

a central computer having a memory module for storing a plurality of customized icon configuration files, (pg 127, Share Folders and Files), corresponding to a plurality of network users' personal preferences, (pg 6, Select the User Account), each of the plurality of customized icon configuration files having specific icons arranged in a specific order(pg 10, How to display Icons on Your Desktop) based upon the personal preferences of a respective network user, (pg. 128, How to Set up Additional User Accounts), i.e. each person using the computer has an individual user account, each person can have his or her own desktop settings (background, icons, sounds, and so on);

a plurality of imaging devices(i.e. computers and printers) coupled to the network, each imaging device having a graphical user interface adapted to display at least one of the plurality of customized icon configurations associated with a current user of the imaging device, (pg 125, step 7, Install Windows XP), i.e. you'll have to install Windows XP on each of the computers on the network.

14. Regarding claim 2, Sams teaches the network of claim 1 as described above.

Sams further teaches:

the graphical user interface on at least one of the plurality of imaging devices includes a home screen(pg 6, login screen) that includes an authentication icon(pg 6, fish icon) to authenticate the current user, (pg 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on.

15. Regarding claim 3, Sams teaches the network of claim 2 as described above.

Sams further teaches:

activation of the authentication(i.e. clicking on name) initiates a log-in script(i.e. password) to authenticate the current user, (pg 6, Enter Your Password), i.e. type your password in the box that appears.

16. Regarding claim 4, Sams teaches the network of claim 2 as described above.

Sams further teaches:

the customized configuration file associated with the current user is received by the imaging device upon authentication of the user, (page 6, Log On), i.e. after you log on, the desktop appears.

17. Regarding claim 5, Sams teaches the network of claim 2 as described above.

Sams further teaches:

at least one additional customized icon configuration file having a default icon arrangement(pg 129, Fig. For step 6, Guest) not associated with one particular user, (pg 128, How to Set Up Additional User Accounts), i.e. when you first install Windows, two accounts are created. One is named whatever name you provide to Windows during installation (usually your name). The other is called a Guest account and has very limited capabilities. The examiner would also like to make note of the default icon arrangement, (pg 10, How to Display Icons on Your Desktop), i.e. if you buy a copy of Windows XP and install it yourself (using the procedures covered in the Appendix), your desktop will be empty except for the Recycle Bin. This is interpreted as the "default" value as no user changes have been implemented.

18. Regarding claim 6, Sams teaches the network of claim 5 as described above.  
Sams further teaches:

the default icon arrangement includes the authentication icon, (pg 129, Select Changes to Make), i.e. you can change the name of the account, the picture that appears beside it, the type of account, and the password.

19. Regarding claim 7, Sams teaches the network of claim 1 as described above.  
Sams further teaches:

each of said customized icon configuration files comprises the corresponding plurality of network users' personal preferences regarding the arrangement(pg 10, How to Display Icons on Your Desktop) and type of icons to be displayed on a graphical user



interface, (pg 128, How to Set Up Additional User Accounts), i.e. each person can have his or her own desktop settings(background, icons, sounds, and so on).

20. As per claim 14, Sams teaches the following:

displaying a home screen having a plurality of icons(i.e. desktop) representing a plurality of operations, at least one of the plurality of icons being related to a specific business operation(i.e. pg 10, step 1, Start Menu) requiring multiple operations(i.e. pg 11, step 4, Shortcut menu) to be performed sequentially from the home screen, (pg 12, Open an Icon's Shortcut Menu), i.e. open a shortcut menu with special commands for working with that icon;

selecting(i.e. right-click) the at least one of the plurality of icons related to a specific business operation typically requiring multiple operations to be performed sequentially from the home screen, (pg 10, Open the Start Menu), i.e. you must open it yourself by clicking its button once;

displaying a first step screen having a first prompt to perform a first of the multiple operations, (pg 10, Find the Icon You're Looking For), i.e. all the icons that used to appear on the Windows desktop now appear in the upper-right part of the Start menu;

displaying a second step screen(i.e. shortcut menu) after the first step screen, the second step screen having a second prompt to perform a second of the multiple operations subsequent to the first prompt, the second prompt being automatically initiated upon the first of the multiple operation being performed and without returning to

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the home screen, (pg. 11, Open an Icon's Shortcut Menu), i.e. right-click any icon to open a shortcut menu with special commands for working with that icon.

21. Claims 8-10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 5,600,766, Johnson et al., hereinafter Johnson.

22. As per claim 8, Johnson teaches the following:

activating a user authentication script(Fig. 8A) at the imaging device, (Fig. 5, 40),  
i.e. Start Recognition Process;

authenticating a first user, (Fig. 8A, 330), i.e. Active\_User \* Username Matched?;  
retrieving a first one of a plurality of icon configuration files, the first one of the plurality of icon configuration files being preprogrammed for the first user, (abstract), i.e. the user desktop map allows automatic object location,

displaying a first configuration of icons on a graphical user interface(Fig. 1A-F)  
corresponding to the first one of the plurality of icon configuration files, (Fig. 8B, 360),  
i.e. Active Desktop Map \*Username's Desktop Map;

activating a user authentication script at the imaging device subsequent to  
displaying the first configuration of icons, (column 11, line 44), i.e. referring back to  
decision block 330, if the ACTIVE USER is not the same as the recognized user, then  
processing continues to block 340 where a code critical section is entered and on to  
block 350 where the ACTIVE USER variable is set to the USERNAME field from the  
User Recognition Table entry matched in block 310;

authenticating a second user(Fig. 8A, 330), i.e. Active\_User \* Username  
Matched?;

retrieving a second one of the plurality of icon configuration files, the second one  
of the plurality of icon configuration files being preprogrammed for the second user,  
(column 11, line 49), i.e. processing continues to block 370 where all entry state flags  
are initialized to dormant and the ACTIVEDESKTOPMAP is set to the Desktop Map  
Handle field from the User Recognition Table entry matched in block 310;

displaying a second configuration of icons on the graphical user interface(Fig.  
1A-F) corresponding to the second one of the plurality of icon configuration files, (Fig.  
8B, 360), i.e. Active Desktop Map \*Username's Desktop Map.

23. Regarding claim 9, Johnson teaches the method of claim 8 as describe above.  
Johnson further teaches:

the first one of the plurality of icon configuration files(i.e. User Desktop Map)  
represents the personal preferences of the first user regarding the type(i.e. "class") and  
arrangement of icons displayed(i.e. desktop coordinates) on the graphical user  
interface, (column 4, line 38), i.e. as objects are manipulated on the desktop, desktop  
objects (icons, windows, panels, etc.) are registered. In one embodiment, this invention  
registers and identifies objects uniquely by a combination of their title text, "class" name,  
desktop coordinates of the lower left corner of the object, the width and height of the  
object, an active/dormant flag and other implemented attributes applicable to an object.  
These object variables are entries maintained in what is termed a User Desktop Map.

24. Regarding claim 10, Johnson teaches the method of claim 9 as describe above.

Johnson further teaches:

the second one of the plurality of icon configuration files(i.e. User Desktop Map) represents the personal preferences of the second user(i.e. Each uniquely identified user) regarding the type and arrangement(i.e. attribute information) of icons(i.e. objects) displayed on the graphical user interface, (column 5, line 1), i.e. it is important to understand the concept of the Desktop Map. Each uniquely identified user has a User Desktop Map which contains a list of two-part records. The first part contains unique object identifying information and the second part contains object attribute information. Each User Desktop Map is a dynamic entity.

25. Regarding claim 12, Johnson teaches the method of claim 8 as describe above.

Johnson further teaches:

the steps of retrieving said first one of a plurality of icon configuration files(i.e. programming implementation code) and retrieving a second one of the plurality of icon configuration files comprises sending the respective icon configuration file to the device from a central computer, (column 6, line 53), i.e. floppy disk device 510 receives a diskette 512 which has data processing system program code or programming implementations recorded thereon that implements the present invention in the data processing system 500. The examiner interprets "sending from a central computer" to include copying to a floppy disk and transporting said floppy disk to a device.

26. Regarding claim 13, Johnson teaches the method of claim 12 as describe above.

Johnson further teaches:

the step of sending the respective icon configuration file is initiated by the script, (column 7, line 18), i.e. thereafter, block 20 initializes an ACTIVEUSER variable to a setting indicating that a new user is currently detected as using the data processing system. Processing continues to block 30 where an ACTIVEDESKTOPMAP variable is initialized to the data processing system default indicating start a new User Desktop Map. The ACTIVEUSER and ACTIVEDESKTOPMAP variables always correspond to whom the system currently registers as being the active user.

27. Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 6,289,371, Kumpf et al., hereinafter Kumpf.

28. As per claim 16, Kumpf teaches the following:

displaying a home screen having a plurality of icons(Fig. 4) representing a plurality of operations, (column5, line 43), preferred possible actions include scan download, preview download (if available) and scan parameter alteration, selections of which are made through the Fig. 4 interface and result in the management applet in the client 12 launching threads to accomplish each available function (block 40);

selecting the one(Fig. 4, Download Scanned Image) of the plurality of icons, (column 7, line 1), i.e. to preview the image, the user presses or clicks a "PREVIEW" button displayed on the client's scan interface;

Initiating a specific operation corresponding to the icon selected, (column 7 line 2), i.e. if the user clicks the "PREVIEW" button, the scan applet in the client launches a preview thread;

displaying a status operation(Fig. 5, Scanning Preview Image...) corresponding to the icon selected, (column 7, line 38), i.e. as shown in Fig. 5, the scan applet in the client updates the progress bar as it receives data;

displaying a status information on the graphical user interface, the status information indicating whether the operation was completed successfully, a first indication appears if the operation was successful and a second indication appears if the operation was unsuccessful, (column 8, line 40), as shown in Fig. 7, after the scan operation is completed for a preview, the preview image is displayed with the web Scan user interface by the client scan applet, (column 6, line 42), if there were no parameter errors, the server 10 next checks to see if the peripheral requested by the client scan job is available (block 56). It is not available, an error message is returned (block 58) and the thread terminates (block 54);

selectively displaying a first screen having a first icon(Fig. 7, Photo) corresponding to the first indication, (column 8, line 40), as shown in Fig. 7, after the scan operation is completed for a preview, the preview image is displayed with the web Scan user interface by the client scan applet ;

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selectively displaying a second screen having the first icon and a second icon corresponding to the second indication(i.e. "scanner status: offline", the second icon allowing a user to view further details regarding the unsuccessful operation, (column 5 line 5), i.e. the periodically updated result of the status thread is preferably presented on the client browser interface.

***Claim Rejections - 35 USC § 103***

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson as applied to claim 8 above, and further in view of Sams.

31. Regarding claim 11, Johnson does not explicitly teach the limitation of displaying an icon on the graphical user interface adapted to activate the user authentication script, as mentioned in claim 11. It would have been obvious to one skilled in the art at the time the invention was made to modify Johnson's authentication icon with that of Sams, (pg 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on. If a password is not assigned to the account (that is, if the password field was left blank when Windows was installed), you will enter

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directly into Windows. Otherwise, you'll be asked for a password. One skilled in the art would be motivated to combine the teachings of Johnson with the authentication icon of Sams because, (column 14, line 41), i.e. in a alternative embodiment which is sensitive to security issues, it may be important for a user new to a desktop (which contains objects) to identify himself to the recognition processor before manipulating objects.

32. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sams as applied to claim 14 above, and further in view of Kumpf.

33. Regarding claim 15, Sams does not explicitly teach the limitation of the business operation requires a first document to be scanned according to a first configuration of a scanner and a second document to be scanned according to a second configuration of the scanner, as mentioned in claim 15. It would have been obvious to one skilled in the art at the time the invention was made to modify Sams document scanning method with that of Kumpf, (abstract), i.e. parameter selection and alteration is also a preferred functionality enabled for selection and alteration in the client interface through the general purpose software program provided by the server. The server translates and formats data for the client, and also preferably performs an on-the-fly gamma correction of color data to data prior to transmitting it to the client. Other preferred features include multipage scanning and image scan area selection. One skilled in the art would be motivated to combine the teachings of Sams with the scanning operations of Kumpf because, (column 1, line 10), i.e. scanning peripherals are becoming a larger segment



of the peripheral industry. Users find such peripherals useful as a means of input for text, graphics and images. Many software applications now permit manipulation and use of such data. Some peripherals combine scanning with other functions.

34. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumpf.

35. As per claim 17, Kumpf teaches the following:

displaying a home screen(Fig. 4) having a plurality of icons representing a plurality of operations, (column5, line 43), preferred possible actions include scan download, preview download (if available) and scan parameter alteration, selections of which are made through the Fig. 4 interface and result in the management applet in the client 12 launching threads to accomplish each available function (block 40);

selecting one of the plurality of icons, (column 7, line 1), i.e. to preview the image, the user presses or clicks a "PREVIEW" button displayed on the client's scan interface;

initiating a specific operation corresponding to the icon selected, (column 7 line 2), i.e. if the user clicks the "PREVIEW" button, the scan applet in the client launches a preview thread;

extracting information from a document placed on the imaging device(i.e. scanner), (column 7, line 10), i.e. the server scan program is initiated with preview parameters being sent to the peripheral and the final scan thread being launched (block 74);

displaying at least a portion of the extracted information(Fig. 7, Photo) on a graphical user interface, (column 8, line 40), i.e. as shown in Fig. 7, after the scan operation is completed for a preview, the preview image is displayed with the web Scan user interface;

Kumpf does not explicitly teach the limitation of verifying the accuracy of the extracted information displayed, as mentioned in claim 17. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made that the purpose of said preview as described above, was to view a document before fully processing. It is therefore obvious that one of ordinary skill in the art would have been motivated to incorporate this limitation of verifying any aspect of said preview into Kumpf .

### ***Conclusion***

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 5,534,973 discusses an apparatus which may scan documents with different settings;

US 5,682,550 discusses a method of storing multiple user preferences in different settings folders and security for access said folders;

US 6,389,262 B1 discusses a scanning device capable of using different settings depending on the object scanned;

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US 6,411,836 B1 method and apparatus for user preferences configuring in an image handling system;

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571)272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

G.A.D.

2/5/2007

  
XIAO WU  
SUPERVISORY PATENT EXAMINER